

AGENDA

BOARD OF MAYOR AND ALDERMEN

**February 5, 2008
Mayor and all Aldermen**

**7:30 PM
Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.
3. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Approve under supervision of the Department of Highways

- A. Pole petitions:
PSNH & Verizon New England #12-0244 for 3 poles on Second Street;
PSNH & Verizon New England #11-1185 1 pole on Russell Street; and
PSNH & Verizon New England #11-1187 1 pole on Fairmount Ave;

Approve under supervision of the Department of Highways; subject to funding availability

- B. Sidewalk petition for 308 N. Bay Street

Informational to be Received and Filed

- C. Communication from ABC News thanking the City for the “can do” attitude of people and officials in Manchester in making their broadcast coverage of the Presidential Primary in NH a success.

- D.** Communication from Jennie Angell, Director, Information Systems Department, advising that the City's Geographic Information System (GIS) is now available to the public at www.ManchesterNH.gov/GIS.
- E.** Manchester Economic Development Office Quarterly Report for period ending December 31, 2007.
- F.** Communication from Stephen Quinn, Advisory Committee to MECRS, regarding SB373, an amendment to an existing health insurance subsidy provision, requesting the bill be allowed to progress through the legislative process so that the voters of Manchester can have a final say through referendum later in 2008.
- G.** Communication from Timothy Soucy, Public Health Director, submitting an update regarding the VISTA program.
- H.** Communication from David Smith, MTA, regarding the issues raised at the last meeting of the Board and providing follow up information relating to same.
- I.** Communication from NH Department of Environmental Services regarding a Wetlands Bureau Complaint on Riverfront Drive.
(Note: forwarded to appropriate departments for informational purposes).
- J.** Communication from R. J. Moreau Communities LLC, submitting a certificate in appreciation for assistance received with the Extreme Makeover Home Edition.
- K.** Communication from Trinity High School asking the City for a donation to their FIRST team.

REFERRALS TO COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

- L.** Communication from Robert MacKenzie, Director of Planning and Community Development submitting a Draft Master Plan.
(Note: Available for viewing at the Office of the City Clerk and forwarded under separate cover to Mayor and Aldermen)

COMMITTEE ON FINANCE

M. Resolutions:

“Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Ten Thousand Dollars (\$10,000) for the 2006 CIP 810206 First Public Art Sculpture Project.”

“Amending the FY 2008 community Improvement Program, authorizing and appropriating funds in the amount of Nine Million Nine Hundred Thousand Dollars (\$9,900,000) for the FY2008 CIP 310308 Renovation of The Manchester School of Technology Project.”

“Amending the FY2007 community Improvement Program, authorizing and appropriating funds in the amount of Twelve Thousand Seven Hundred Fifty Four Dollars (\$12,754) for the 2007 CIP 510907 Park Improvement Project.”

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

- N.** Advising that it has accepted the City’s Monthly Financial Statements (Unaudited) for the five months ended November 30, 2007 and is forwarding same to the Board for informational purposes.
(Unanimous vote, December 2007.)
(Note: Available for viewing at the office of City Clerk, and previously forward to the Mayor and Aldermen.)

- O.** Advising that it has accepted the following Finance Department reports:
- a) a)department legend;
 - b) b)open invoice report over 90 days by fund;
 - c) c)open invoice report all invoices for interdepartmental billings only;
 - d) d)open invoice report all invoices due from the School Department only;
 - e) e)listing of invoices submitted to City Solicitor for legal determination; and
 - f) f)accounts receivable summary
- and is forwarding same to the Board for informational purposes.
(Unanimous vote, December 2007.)
(Note: Available for viewing at the office of City Clerk, and previously forward to the Mayor and Aldermen.)

COMMITTEE ON COMMUNITY IMPROVEMENT

- P.** Advising that it has approved an addition of one vehicle to the Police Department fleet for the Community Policing Division.
(Unanimous vote.)
- Q.** Recommending that a request for acceptance and expenditure of funds in the amount of \$12,754 from Friends of the Valley Cemetery for the Parks Improvement Project be approved, and for such purpose a resolution and budget authorization have been submitted.
(Unanimous vote.)
- R.** Recommending that a request for acceptance and expenditure of \$7,425,000 State Department of Education funds for the Renovation of Manchester School of Technology be approved and for such purpose a resolution and budget authorization have been submitted.
(Aldermen Garrity, Shea, O'Neil and Smith in favor; Alderman Gatsas opposed.)
(Note: Information requested by committee enclosed with report)
- S.** Recommending that a request for acceptance and expenditure of funds in the amount of \$10,000 from the Manchester Art Fund for 810206 First Public Art Sculpture be approved and for such purpose a resolution and budget authorization have been submitted.
(Unanimous vote.)
(Note: Committee requested Planning Director to forward communication from Verizon Wireless Arena advising they have no objections.)
- T.** Advising it has approved a request by Helping Hands to reallocate \$299,693.52 of CIP funds for the Agency's Project at 140 Central Street. These funds were previously approved by the BMA for an Agency project at another location. The assistance to be in the form of a 0% loan to be used to payoff a higher interest second mortgage, make improvements to the property estimated to cost \$70,000 and write down the existing first mortgage with the remaining balance. Said actions to be formalized in an agreement with the City and included in a promissory note and mortgage to be drawn up and recorded.
(Unanimous vote.)
- U.** Recommending that a petition for acceptance of a dedication of a portion of Cartier Street submitted by Andrew Sullivan, Esq. be referred to a Road Hearing to be scheduled on the next available date to be determined by the City Clerk.
(Unanimous vote.)

COMMITTEE ON HUMAN RESOURCES

- V.** Advising that it has reviewed an ordinance amendment relating to union contract provisions as follows:

“Amending Sections 33.024, 33.025 (Custodial Services Supervisor – Police, Equipment Maintenance Superintendent I-Police, Equipment Maintenance Superintendent II-Fire, & Equipment Mechanic II-Fire) of the Code of Ordinances of the City of Manchester.”

and recommends same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote with exception of Alderman Shea who was absent.)

COMMITTEE ON PUBLIC SAFETY AND TRAFFIC

- W.** Recommending that regulations for standing, stopping, parking and operation of vehicles be adopted as noted and those inconsistent therewith be repealed.

(Unanimous vote.)

- X.** Advising that it has approved a request for the use of Arms Parking Lot on Saturday, August 9, 2008 to host a bicycle tour subject to approval of Police, Fire, Risk, Parking and City Clerk.

(Unanimous vote.)

LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

- 4.** Nominations to be presented by Mayor Guinta, if available.
Ladies and Gentlemen, what is your pleasure?

- 5.** Nominations are in order to appoint an Aldermanic representative to the Planning Board.
Ladies and Gentlemen, what is your pleasure?

6. Nominations are in order to appoint an Aldermanic representative as an Alternate to the Planning Board.
Ladies and Gentlemen, what is your pleasure?
7. Nominations are in order to appoint an Aldermanic representative to the Millyard Design Review Committee.
Ladies and Gentlemen, what is your pleasure?
8. A motion is in order to recess the meeting to allow the Committee on Finance to meet.
9. Mayor Guinta calls the meeting back to order.
10. Report of Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?
11. Report of Committee on Human Resources recommending approval of a request for reclassifications, new class specifications and reorganization of the Office of the City Clerk; and further recommending adoption of related ordinances under the suspension of the rules.
Ladies and Gentlemen, what is your pleasure?
12. Report of Committee on Human Resources advising that it has referred a recommendation of the Human Resources Director to reallocate positions at the Library as follows:
 - reallocate Library Clerk I's from salary grade 8 to salary grade 10;
 - reallocate Library Clerk II's from salary grade 9 to salary grade 11; and
 - reclassify one Library Clerk I to a Library Clerk IIto the full Board of Mayor and Aldermen without recommendation.
(Unanimous vote.)
Ladies and Gentlemen, what is your pleasure?

13. Report of Committee on Public Safety, Health and Traffic recommending that Ordinance Amendment:

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester; 70.48 by making Section (E) a permanent ordinance and to eliminate the last sentence in the ordinance in order to remove the Parking Manager’s authority to grant up to a 50% discount as approved by the Mayor and Board of Aldermen.”

be adopted by the Board of Mayor and Aldermen at the February 5, 2008 meeting under the suspension of the rules due to time constraints.

(Unanimous vote.)

NOTE: Communications from Brandy Stanley regarding vendor selection attached.

Ladies and Gentlemen, what is your pleasure?

OTHER BUSINESS

14. Communication from former Alderman, Jerome Duval, regarding support of naming the Manchester District Court House after the late Judge Armand Capistran.

(Note: Mr. Duval has requested the communication be read into the record.)

Ladies and Gentlemen, what is your pleasure?

15. Communication from Alderman Lopez, submitting a proposed change to Rule 16A as recently discussed at the organizational meeting of the Board and by the Committee on Human Resources:

*(New language **bold**, removed language ~~struck through~~.)*

RULE 16A

Ordinances providing for changes in class specifications, **reclassifications, reallocations or the establishment of a new class specification** ~~which do not change the title of a position and do not provide for any change in the salary grade of such position~~ shall be reviewed by the Committee on Human Resources and Insurance. Upon approval by the Committee, the City Clerk shall submit such ordinances to the Board of Mayor and Aldermen where the question shall be on passing same to be Ordained without referral to committee or any other action by the Board. **Nothing in this rule shall prevent a majority vote of the Board of Mayor and Aldermen from adopting any such aforementioned ordinance under the provisions of Rule 16 of the Board without the approval of the Committee on Human Resources.**

16. Petition for Demolition and Removal of a Hazardous Building at 111 Blaine Street.
A motion is in order to find and order demolition and removal as enclosed.

17. Legislative Update presented by Mayor Guinta.
Ladies and Gentlemen, what is your pleasure?

18. Resolutions: **(A motion is in order to read by titles only.)**

“Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Ten Thousand Dollars (\$10,000) for the 2006 CIP 810206 First Public Art Sculpture Project.”

“Amending the FY 2008 community Improvement Program, authorizing and appropriating funds in the amount of Nine Million Nine Hundred Thousand Dollars (\$9,900,000) for the FY2008 CIP 310308 Renovation of The Manchester School of Technology Project.”

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A motion is in order that the Resolutions pass and be Enrolled.

TABLED ITEMS

(A motion is in order to remove any item from the table.)

19. Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”

ought to pass.

(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)

(Tabled 09/05/2006)

NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen.

20. Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”

ought to pass.

(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)

(Tabled 09/05/2006)

NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen.

21. Report of the Committee on Community Improvement advising that it has requested staff to prepare documents to provide that the City agree to extend the term on the 2nd mortgage relating to Lowell Terrace Associates property located at the northwest corner of Lowell and Chestnut Streets to coincide with the expiration of the existing first mortgage in 2013.

(Unanimous vote)

(Tabled 05/15/2007. Additional materials provided by Finance enclosed.)

NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen, with additional materials provided by Finance.)

22. A Majority report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

be denied at this time.

The Committee notes that the business owner should work with the neighborhood and may return with a petition after addressing issue as noted in a communication from Alderman Garrity enclosed herein.

(Aldermen Garrity, Pinard and Duval in favor. Aldermen Lopez and Gatsas opposed.)

(Tabled 06/05/2007)

A Minority report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

ought to pass.

The minority advises that the proposed zoning, in its opinion, is consistent with the highest and best use of the property and that neighborhood concerns can be best addressed through the development process at the Planning Board level, therefore, that such rezoning should be considered subject to the Planning Board approving any plans for development of the property.

S/Alderman Lopez

(Tabled 06/05/2007)

NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen.

23. NEW BUSINESS

A. Communications

B. Aldermen

24. If there is no further business a motion is in order to adjourn.